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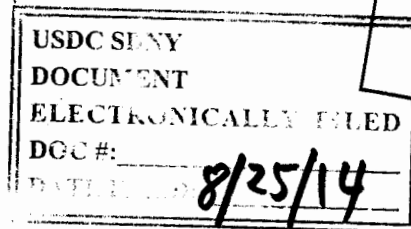
*So ordered
8/22/14
[Signature]*

Facsimile:
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August 21, 2014

Via Hand Delivery

Hon. Alvin K. Hellerstein
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007



Re: *Fox News Network, LLC v. TVEyes, Inc.*, No. 13 Civ. 5315

Dear Judge Hellerstein:

We represent Plaintiff Fox News Network, LLC ("Fox News") in the above-referenced litigation. In accordance with the Court's June 16, 2014 Order (Dkt. No. 30) and pursuant to Your Honor's Individual Rule 4(B)(i) and Paragraph 8(a) of the Stipulated Protective Order (Dkt. No. 16), we jointly write with counsel for Defendant TVEyes, Inc. ("TVEyes") to request permission to file certain documents from the parties' summary judgment briefing materials under seal and/or with redactions on the public record.

Based on the Court's ruling on this joint letter, the parties propose to file on the public record redacted version of the briefing and file under seal any redacted materials no later than one week after the Court's ruling. In addition, to the extent the parties rely upon DVDs, which cannot be filed via the ECF system, such DVDs will be filed in physical form with the clerk of the Court.

Fox News' and TVEyes' Requested Redactions and Sealed Exhibits

As Fox News' and TVEyes' businesses were the subject of extensive briefing by both parties, Fox News and TVEyes respectfully request that the Court permit them to redact or file under seal confidential financial information, licensing terms with third parties, client lists, individual client names and identifying information, and confidential internal communications. Making this information available to the public and, in particular, to Fox News' and TVEyes' competitors, would cause significant competitive harm to Fox News and TVEyes. *See Bergen Brunswick Corp. v. Ivax Corp.*, No. 97 Civ. 2003, 1998 WL 113976, at *3 (S.D.N.Y. Mar. 12, 1998) (recognizing that "[p]otential damage from the release of sensitive business information"

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is “a ground for denying access to court documents”); *see also Gelb v. Am. Tel. & Tel. Co.*, 813 F. Supp. 1022, 1035 (S.D.N.Y. 1993) (granting motion to seal exhibits pursuant to Rule 26(c) based on their potential to cause commercial harm). Accordingly, attached hereto as **Annex A and B** are the pages of the briefing materials and exhibits that Fox News and TVEyes respectively seek to redact (with the proposed redactions indicated with red boxes). In addition, attached hereto as **Annex C** are lists identifying the exhibits that the parties seek to file under seal. Fox News also joins in the requests of ITN Source Ltd. (“ITN Source”) and Executive Interviews, Inc. (“Executive Interviews”) to the extent that they seek to protect Fox News’ confidential business information.

ITN Source’s Requested Redactions and Sealed Exhibits

As ITN Source is a third-party to this action, it separately sets forth its requests to redact and to seal confidential material. Given that ITN Source’s business was the subject of briefing by both parties, ITN Source respectfully requests that the Court permit the redaction or filing under seal of its confidential business information, including financial information, confidential agreements with Fox News and with other third-parties, and client lists. Making ITN Source’s confidential business information available to the public and, in particular, to its competitors, would cause serious harm to ITN Source. *See Bergen Brunswick Corp.*, 1998 WL 113976, at *3; *see also Gelb*, 813 F. Supp. at 1035. Accordingly, attached hereto as **Annex D** are the pages of the briefing materials that ITN Source seeks to redact with the redactions indicated with red boxes. In addition, attached hereto as **Annex E** is a list identifying the exhibits that it seeks to file under seal. ITN Source also joins in Fox News’ request to redact the portions of the summary judgment briefing designated in Annex A to the extent that such redactions pertain to ITN Source’s confidential business information.

Executive Interviews’ Requested Redactions and Sealed Exhibits

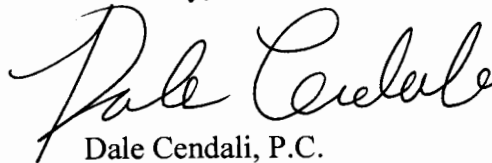
As Executive Interviews is a third-party to this action, it separately sets forth its requests to redact and to seal confidential material. Given that Executive Interviews’ business was the subject of briefing by both parties, Executive Interviews respectfully requests that the Court permit the redaction or filing under seal of its confidential business information, including financial information, confidential agreements with Fox News and other third-parties, and client lists. Enabling Executive Interviews’ competitors to access this information by making it available on the public record would cause competitive injury to Executive Interviews. *See Bergen Brunswick Corp.*, 1998 WL 113976, at *3; *see also Gelb*, 813 F. Supp. at 1035. Accordingly, attached hereto as **Annex F** are the pages of the briefing materials that Executive Interviews seeks to redact with the redactions indicated with red boxes. In addition, attached hereto as **Annex G** is a list identifying the exhibits that it seeks to file under seal. Executive Interviews also joins in Fox News’ request to redact the portions of the summary judgment

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briefing designated in Annex A to the extent that such redactions pertain to Executive Interviews' confidential business information.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dale Cendali".

Dale Cendali, P.C.

cc: Todd Anten, Esq.